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3-2004

# Domestic Violence and the Politics of Privacy, by Kristin A. Kelly [Book Review]

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### Recommended Citation

Bowman, Cynthia Grant, "Domestic Violence and the Politics of Privacy, by Kristin A. Kelly [Book Review]" (2004). *Cornell Law Faculty Publications*. Paper 154.

<http://scholarship.law.cornell.edu/facpub/154>

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As for Rousseau's practice of authorship in the corrupt regime, Kelly makes a compelling argument. Rousseau was braver than others, he was willing to expose himself to the authorities, and he was seeking the truth about politics as an intellectual. The argument gets less convincing when Kelly discusses Rousseau's views on the good society. In the good society, philosophers also have a clear responsibility. There are times, it seems, when seeking the truth directly conflicts with promoting the good. According to Kelly's Rousseau, it is irresponsible to seek the truth for its own sake or even to amuse oneself with the life of philosophy. Self-censorship, as well as state censorship, is necessary to preserve the good and create good citizens. Philosophers should "behave as good citizens first and philosophers second" (p. 46). As Kelly puts it, "Rousseau is prepared to encourage the unorthodox not to advance their dissenting opinions publicly and to speak and act as if they accept all the sentiments of sociability" (p. 40). Moreover, "the most dangerous intellectuals are those who attempt to transform political life by subjecting the sentiments of sociability to critical scrutiny" (p. 45).

But should the "good" society not be open to criticism, even harsh criticism? Time and again, Kelly applauds Rousseau's desire to be the kind of public intellectual whose certainty of his own virtue (and ability to direct the public good) excuses political scrutiny of the issues. Yet who decides on the content of the good? Here, all the problems with Rousseau's "general will" should be remembered. Though Kelly rehearses arguments of critics who charge Rousseau with "coercive pathology" (p. 117), undermining free consent and indoctrinating and misleading citizens, he continually returns to the point that Rousseau's philosophic activity was entirely compatible with his devotion to justice. According to Kelly, "Rousseauian authorship requires the ability to distinguish between respectable and unrespectable prejudices . . . between useful and other truths" (p. 49).

Ultimately, for Rousseau and for Kelly, the role of intellectuals in the good society is to bind citizens to the nation. I remind readers that this is only one interpretation of Rousseau's politics. Kelly acknowledges that Rousseau is the author of *Julie*, a romantic novel, and that some readers might take away another view. But apparently they would be wrong! Kelly observes that "*Rousseau Judge of Jean-Jacques* is an extended demonstration of the way misreadings of Rousseau and his books reflect on their readers" (p. 113). In readings of *Julie* and *Emile*, Kelly warns us to remember Rousseau's insistence on independence, the decadence of romantic love, and the "incompatibility of novels and republican citizenship" (p. 112).

Scholars will certainly find *Rousseau as Author* well worth reading. As a conservative defense of Rousseau, the questions are compelling and important and the readings subtle and interesting. Yet though Kelly casts a fresh eye on familiar themes such as philosophy and politics, censorship and the arts, the behavior of citizens, and truth and the public good, in my view, his eye is too focused on defending Rousseau's philosophy against his democratic critics.

**Domestic Violence and the Politics of Privacy.** By Kristin A. Kelly. Ithaca, NY: Cornell University Press, 2003. 209p. \$39.95 cloth, \$16.95 paper.

— Cynthia Grant Bowman, *Northwestern University*

Problems caused by the sanctity of the private sphere when dealing with domestic violence have long been the source of a good deal of writing and discussion. Kristin Kelly's book combines a very good summary and critique of classical political thought and modern theorizing about the public/private split with an empirical study. She then uses conclusions drawn from that study to construct a more complex model of the relationship between the public and the private, one that is more appropriate for the analysis of domestic violence. Her goal is to develop "an alternative approach to understanding and renegotiating public and private boundaries that more effectively balances familial and individual privacy with the need to reframe battery as a behavior subject to public sanction" (p. 84).

Kelly first traces the origins of the public/private dichotomy through classical formulations in Locke and Mill, pointing to the two different and inconsistent models in Locke's writing, depicting the demarcation as between the family and the state in his response to Filmer's argument in defense of monarchy, but between the individual and the state in the construction of the social contract. Both approaches leave the protection of women within the family to the patriarchal head of the household, clearly an inadequate remedy when he is their assailant.

Kelly then discusses a number of modern feminist critiques of the classical privacy paradigm and describes attempts by radical, conservative, and liberal feminists to reconceive the public/private split. Applying each theory to domestic violence as the touchstone, she concludes that all are inadequate and, in fact, that "it is not clear that the proposed reconstructions are any more capable than the classical liberal model of *addressing* the complex dilemmas present in instances of domestic violence" (p. 57).

After discussing the history of the legal treatment of domestic violence and describing some of the legal strategies that now exist, Kelly criticizes Second Wave feminism as having focused on the law and on obtaining remedies from the state. This criticism is only partly accurate, for feminists in the late 1960s and 1970s engaged in a good deal of community work as well—establishing shelters and advocacy groups and lobbying not only for legal change but also for other forms of assistance to victims. Nonetheless, her conclusion that law is limited in its effect on domestic violence is clearly right. Although national crime statistics show that since the adoption of such legal remedies as orders of protection and lawsuits against nonresponsive police, domestic violence in the United States has decreased (see, e.g., U.S. Dept. of Justice, Bureau of Justice Statistics, *Violence by Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends*, 2000, pp. 1, 2–3), it still exists at unacceptable levels.

Up to this point, *Domestic Violence and the Politics of Privacy* tells a relatively old story, though one which is very skillfully reviewed. What is unique about Kelly's book is that she then follows the theoretical summary and critique with empirical work, interviewing persons who work in the domestic violence field—legal advocates, activists, policymakers, shelter workers, attorneys, and police officers—asking for their views on issues relating to privacy and domestic violence. From their responses, she concludes that legal intervention is an important but inadequate remedy, limited in ways that could be addressed (by the infusion of more public funds, for example) and limited because intervention via the legal system is too individualistic a response to a problem that is both multifaceted and, in many aspects, cultural in its scope. The persons interviewed instead emphasize a preventive approach to reducing domestic violence, involving extensive education, community participation, and coalitional work.

Combining her discussion of theory with these insights from practice, Kelly derives a new model for analyzing the private/public split and its impact—a triangular model instead of a binary one, with the family, the community (essentially the institutions of civil society), and the state forming the three points of the triangle, and the sides representing the boundaries. Thus, for example, the boundary between the state and the family is made up of structures such as search-and-seizure laws, due process rights, legislative mandates and programs, contracts, bureaucratic structures and rules, administrative law, police procedures, and physical barriers (p. 115). Yet the boundaries themselves are changing products of an ongoing democratic process (p. 162); they will shift and must be constantly reevaluated (p. 139). The advantages of this approach, Kelly says, include its emphasis on community participation and democracy and the encouragement of more links between public and private resources in the struggle against domestic violence. The new model also more adequately addresses the complex needs of victims—their economic and relational needs, for example, as well as their need for both public remedies *and* for privacy.

There are also problems with Kelly's new model. Most important, where does the individual appear in this triangle? Are there not both conflicts and boundaries between the individual and the family, the individual and the community, the individual and the state? While she explicitly recognizes the problems involved in conflating the individual and family in classical analysis and modern conservative feminism (p. 81), her model appears to repeat this error. Nonetheless, it is a substantial improvement on earlier conceptions in a number of ways. First, it highlights that the public/private relationship is neither binary nor a zero sum game. Second, her model includes nonstate groups as actors in the campaign against domestic violence. Third, and perhaps most important, it emphasizes that addressing domestic violence requires a multifaceted approach, involving different points of entry and a variety of players and programs, including community education, group advocacy and support, and differing approaches designed to fit the needs of diverse communities.

### Jacobins and Utopians: The Political Theory of

**Fundamental Moral Reform.** By George Klosko. Notre Dame: University of Notre Dame Press, 2003. 216p. \$35.00 cloth, \$17.00 paper.

— Peter G. Stillman, *Vassar College*

The subtitle of George Klosko's book accurately represents his concerns. The author focuses on important theoretical statements from classical Greeks through Lenin about how to effect fundamental moral reform. So his perspective differs from utopian scholars who study the vision to be established and political historians who look at revolutionary activity. Klosko focuses on means, or rather, theorizing about means and strategies, not on ends.

Klosko develops his themes historically, through an analysis of important figures in the history of fundamental change. Very quickly the central analytic categories surface. He begins with Plutarch's lives of Lycurgus and Solon. He finds in Lycurgus one important and recurrent model for fundamental moral reform, a model that Klosko labels "educational realism": Lycurgus uses political power (backed by violence if necessary) in order to educate the citizens to virtue. By contrast, Solon is a reformer: He changes laws and constitutions, but does not attempt to transform social and educational relations. Presenting another alternative model, Socrates attempts fundamental moral reform not through force but by persuasion of individuals; any society-wide transformation incited by Socratic questioning requires spontaneous interactions among those whom the gadfly has stung and changed.

Educational realism and individual persuasion leading to spontaneous social transformation are Klosko's two central themes; Solon's reformism concerns him little here. This book was originally a course and then a series of lectures, and Klosko uses those origins to his advantage. As befits a course, he examines major theorists (like Machiavelli and Marx), as well as theorizing activists (notably Robespierre and Lenin), always from the perspective of realizing radical change; so thematically the book involves seeing famous figures from an unusual angle. The original lecture form means a clear and comprehensible presentation, no matter how recondite the topic.

For instance, Klosko sharply distinguishes Socrates from Plato: Whereas Socrates tries to transform individuals only through argument, Plato sees Socrates' mission as a failure and so in the *Republic* seeks to define the conditions, no matter how extreme, under which radical moral transformation could occur. In presenting his views, Klosko navigates through a series of interpretive issues, from grouping the Socratic dialogues to opposing the Strauss-Bloom reading of the *Republic*; but he does so lucidly, rapidly, and with good arguments.

Other pairings and interpretations may be less controversial but no less interesting. Unusual when ideal societies are under consideration, More plays a bit part here—as an advocate of persuading rulers with arguments and without force. Machiavelli enters because of two practical insights: It takes a bad man to seize power but a good man to rule well; and